

UNITED STATES DISTRICT COURT

ALABAMA

GOVERNMENT S EXHIBIT LIST

Case Number: 2:06CR89-WKW-CSC

FREEMAN STEVENSON

[illegible]

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

VOLUNTARY STATEMENT FORM
MONTGOMERY POLICE DEPARTMENT

DIV: Detective BUREAU: Property

DATE: 9/5/05

NAME: Thula Smith

AGE: 34 SEX/RACE: F/B

ADDRESS: 674 West Jeff Davis

PHONE: 356-3549

CONCERNING: Burglary 3rd Degree

LOCATION OF INTERVIEW PAB: YES NO (SPECIFY): 674 West Jeff Davis

STATEMENT TAKEN BY: Corporal C. J. Coughlin, #1008

Beginning time 2320 Hours.

Q: Ms. Smith, can you state your name for me, please?

A: Thula Smith.

Q: Alright. Thula, earlier the police came out and took a report from you, is that correct?

A: Yes, sir.

Q: Okay. Apparently, your, your neighbor got burglarized.

A: Uh-huh.

Q: Could you describe to me what you saw?

A: When I came out, I seen a white car. I don't know, exactly know what kind of car it was, but it was parked in front of my neighbor's house, three, they pulled up in front of my neighbor's house. Three guys got out. They went in the house and they started bringing out chairs first. They brought like two chairs, went back in, got a table, sat the table on top of the car, went back again, and came out with two more chairs, and they did this in less than 5 minutes, jumped in the car, and I told my daughter to get a pencil so we can get the tag number, but instead of them driving past my house, they backed up and went down Adeline Street.

Q: And when was this?

A: It was about 9:17...

Q: Tonight?

A: ...about 9:15 tonight, yeah.

Q: Okay. And had you noticed anything else at this residence...

A: Yeah.

Q: ...before today?

A: Yesterday I did see a champagne color F150 Pickup truck with a, it had like a hard top covering the bed of the truck and had some spinners on it, but one of the spinners was missing on the driver's side on the front and a guy was sitting in there, and I asked him, I said you moving in there. He said no, cause he was just parked right there. He didn't have any furniture or anything, but he was just parked, and that was it.

Q: Okay. Can you identify that man if we showed you a photographic lineup with him in it?

A: I probably could. I mean I really didn't look at him that good cause he was, he had, he was halfway in his truck you know and he was bending down doing stuff.

Q: Did your son say he knew his street name?

A: Yeah, he did.

Q: Did he call him Poncho?

A: Yeah.

Q: He's on, supposedly a character from the neighborhood. Have you ever seen him before?

A: I've never seen him before.

Q: Okay. But have you ever seen the truck before?

A: I never really paid attention to say I seen it before. It probably has you know been pass, but I just never paid attention to say okay I seen that before.

Q: Okay. Could you describe Poncho for me?

A: He was kind of, he was like a slim guy. I can't tell you exactly how tall he was cause he was halfway in and out his truck.

Q: Uh-huh.

A: I know he had a, his hair was plaited up.

Q: Uh-huh.

A: You know had a little length about two inches long and you know brown, medium brown skin, had a little gray in his hair not a lot, but that was most I could see, slim face.

Q: Okay. Do you have anything else to add to your statement that could help us in this investigation?

A: No, that's basically it.

Q: Okay.

Ending time 2322 Hours.

VOLUNTARY STATEMENT FORM
MONTGOMERY POLICE DEPARTMENT

DIV: Detective BUREAU: Property DATE: 9/5/05
NAME: Andre Smith AGE: 15 SEX/RACE: M/B
ADDRESS: 674 West Jeff Davis PHONE: 356-3549

CONCERNING: Burglary 3rd

LOCATION OF INTERVIEW PAB: YES NO (SPECIFY): 674 West Jeff Davis

STATEMENT TAKEN BY: Corporal C. J. Coughlin, #1008

Beginning time 2311 Hours.

Q: Could you state your name for me sir?

A: Andre Smith.

Q: Mr. Smith, are you familiar with your neighbor, right next door?

A: Yes, sir.

Q: At, she, what's the address right next door, do you know?

A: No, sir.

Q: 678 West Jeff Davis. Okay, what's her name? Do you know the victim?

A: I know the lady. Her name, the lady who passed, her name was Jessica.

Q: And you know...

A: Her, her...

Q: ...Jamica Brown, her daughter?

A: Yes, sir.

Q: Okay, did you see someone breaking into her house and taking any property from them?

A: Yes, sir.

Q: Okay, go ahead and tell me what you saw?

A: I seen, the, the first day I seen 'em, it was like a old raggedy truck came and a man was coming off the porch with a crowbar.

Q: Uh-huh.

A: And they had loaded some stuff onto the truck and I asked did they, what they was doing in the house and they said paid for the furniture.

Q: Uh-huh.

A: And then I came in the house and then the next day...

Q: Okay, what day was that?

A: It was Friday.

Q: Okay, that was Friday. What time of day was it?

A: It was about 8:00...

Q: In...

A: ...about 8:30.

Q: ...in the morning or at night?

A: At night.

Q: About 8:30 at night?

A: Yes, sir.

Q: What'd the guy look like with the crowbar?

A: He was, he had on a hat and he was bout, he was bout, I'll say he bout 6 feet.

Q: How...

A: And he was, he was dark skinned. I couldn't really see his face.

Q: Uh-huh.

A: In the dark but he was bout 6 feet.

Q: Did you know his name or his nickname?

A: No, not that one.

Q: Not him?

A: Not him.

Q: Okay, was there anyone else with him?

A: Yes, sir.

Q: Who else was with him?

A: The man named Poncho.

Q: And who's Poncho?

A: He's a man. He was, actually he's a man that ride the street...

Q: Uh-huh.

A: ...and sell drugs.

Q: Okay, and what's he look like?

A: He's, he bout my complexion.

Q: You say about medium complexion?

A: Bout medium complexion. He bout 6'2", 6'1".

Q: Uh-huh.

A: And he wear, and he, he had a br, plaits in his head.

Q: What color is his hair?

A: His hair is like a sandy, like a salt and pepper color.

Q: About how old do you think he is?

A: He bout, he between his, his late 30's and, or his early 40's.

Q: Is he a black male?

A: Yes, sir.

Q: And was anyone else with him?

A: The man that was in the truck.

Q: Did you get a good look at him?

A: No, sir.

Q: Is it, it was another black male adult?

A: Yes, sir.

Q: Okay, so you saw them...

A: That was the first...

Q: ...the guy with the...

A: ...that's the first night. That was...

Q: Okay, that was on Friday, right?

A: And the, then Saturday morning when we woke up, they was over there. And he had some more cars but I ain't go over there.

Q: Okay.

A: Cause he had told me Friday night that he paid for the furniture.

Q: Uh-huh.

A: And stuff and I just been seeing him coming out the house with it.

Q: Okay, what, did Poncho have a vehicle?

A: Yes, sir.

Q: Describe his vehicle for me.

A: He got, he got a F150 truck with spinners on it with a, a shutdown trunk on the back of his truck.

Q: The pickup truck, the hard lid that close?

A: And its champagne colored.

Q: And its got spinner wheels?

A: Yes, sir.

Q: Okay, you thought you, the same three people keep coming back, everyday?

A: It ain't the same peo, it was just two the first day. Then the second day, it was like everyday went by, it was like more people was coming.

Q: Uh-huh.

A: But Poncho was getting most of the furniture on his truck and hauling it off and come right back. And he'll stick a key in the door. They said he was faking but he ain't, he ain't have no key to the house. He was faking but when we went in the house today, the board off the door was tore in.

Q: Okay.

A: So he just been sticking it in there and jerking on it and acting like its locked and stuff.

Q: Okay, do you have anything else to add to your statement, anything I might not've of asked you that might be important to this investigation?

A: (Inaudible) saying that a boy told me that he like to kill people. He send people out to kill 'em. I just don't want my life in danger over this.

Q: Okay.

Ending time 2315 Hours.

ALABAMA UNIFORM INCIDENT/OFFENSE REPORT

9334

1 VICTIM SSN		COMPLAINANT SSN		1 INCIDENT 2 OFFENSE		2 CASE #		3 SFX	
4 ORIGIN		5 DATE AND TIME OF THIS REPORT		6 AGENCY NAME		7 IF SUPPLEMENT ORIGINAL OFFENSE DATE			
00301000		09105052		Montgomery Police Department					
8 REPORTED BY		9 VICTIM OR		10 ADDRESS (STREET, CITY, STATE, ZIP)		11 PHONE			
12 VICTIM (LAST, FIRST, MIDDLE NAME)		13 ADDRESS (STREET, CITY, STATE, ZIP)		14 PHONE		15 PHONE			
Brown, Jameka		630 Clarke St Montgomery, AL 36108		269-		2334			
16 EMPLOYER/SCHOOL		17 OCCUPATION		18 PHONE		19 PHONE			
Montgomery Co 305 Clerical Admin		515 S Union St Montgomery, AL 36108		269-		3820			
20 RESIDENT		21 INJURY		22 RACE		23 SEX		24 AGE	
Y		Y		W		M		25	
25 NON-RESIDENT		26 INJURY		27 RACE		28 SEX		29 AGE	
N		Y		W		M		25	
30 TYPE INCIDENT OR OFFENSE		31 TYPE INCIDENT OR OFFENSE		32 DEGREE (CIRCLE)		33 UCR CODE		34 STATE CODE/LOCAL ORDINANCE	
Burglary		Burglary		1		04C102		04C102	
35 PLACE OF OCCURRENCE		36 PLACE OF OCCURRENCE		37 DEGREE (CIRCLE)		38 UCR CODE		39 STATE CODE/LOCAL ORDINANCE	
678 W Self Davis Ave Montgomery, AL 36108		678 W Self Davis Ave Montgomery, AL 36108		1					
40 POINT OF ENTRY		41 METHOD OF ENTRY		42 ASSAULT		43 TREATMENT FOR		44 ASSAULT INJURY	
DOOR		NO FORCE		SIMPLE		Y		N	
45 OCCURRED ON OR BETWEEN		46 TIME		47 LIGHTING		48 WEATHER		49 PREMISE	
0910505		24:10		NATURAL		CLEAR		HWY - ST - ALLEY	
50 VERIFY FOR		51 TREAT. FOR		52 CIRCUMSTANCES		53 WEAPON USED		54 DESCRIPTION OF WEAPONS/FIREARMS/TOOLS USED IN OFFENSE	
Y		Y		NO FORCE		FIREARM		DESCRIBE	
55 WEAPON USED		56 HANDS, FISTS, VOICE, ETC.		57 LOCATION: RAPE		58 HANOGUN		59 RIFLE	
KNIFE		OTHER DANGEROUS				SHOTGUN		UNKNOWN	
60 QUANTITY		61 STOLEN, RECOVERED, LOST, FOUND OR DESTROYED (INCLUDE MAKE, MODEL, SIZE, TYPE, SERIAL NUMBER, COLOR, ETC.)		62 DOLLAR VALUE		63 RECOVERED			
1		Cherry wood dinette set		1000.00		DATE		VALUE	
1		Oak wood dinette set		350.00					
1		Cherry wood Armoire		750.00					
1		Cherry wood Bedroom Set		1300.00					
1		Cloth window Draperies		250.00					
1		Antique Living Room Set		5000.00					
*		Assorted Antique Furniture		19000					
64 MOTOR VEHICLE		65 CURRENCY, NOTES		66 JEWELRY		67 CLOTHING/PURS		68 FIREARMS	
S		S		S		S		S	
69 ELECTRONICS		70 HOUSEHOLD		71 CONSUMABLE GOODS		72 LIVESTOCK		73 MISCELLANEOUS	
S		20,000.00		S		S		S	
74 CHECK CATEGORIES		75 STOLEN		76 RECOVERED		77 SUSPECTS VEH		78 VICTIMS VEH	
79 STOLEN		80 LIC.		81 L.S.		82 LIV.		83 TAG COLOR	
84 VVR		85 VMA		86 VMC		87 VST		88 VCO	
"2000"		Ford		F150		PU		TOP Beige	
89 STOLEN MTR.		90 AREA STOLEN		91 OWNERSHIP		92 TAG RECEIPT		93 BILL OF SALE	
VEN ONLY		BUS. RES. RUR		VERIFIED BY		TITLE		OTHER	
94 AUTO INSURER NAME (COMPANY)		95 ADDRESS (STREET, CITY, STATE, ZIP)		96 WARRANT SIGNED		97 PHONE			
98 WORTH VEH. RECOVERY ONLY		99 STOLEN IN YOUR JURISDICTION?		100 RECOVERED IN YOUR JURISDICTION?		101 WHERE?		102 WHERE?	
FBI JCR CODE		Y		Y					

TYPE OR PRINT IN BLACK INK

GOVERNMENT
EXHIBIT

3

OFFICER'S WORK PRODUCT MAY NOT BE PUBLIC INFORMATION

INCIDENT/OFFENSE REPORT CONTINUED		DATE AND TIME OF REPORT		CASE #		SPX		OFFENDER SUSPECT MISSING PERSON		CHECK IF MULTIPLE	
90 NAME (LAST, FIRST, MIDDLE)		91 NICKNAME/ALIAS		92 RACE		93 SEX		94 DOB		95 AGE	
U		Poncho		W		M		3/15		30	
96 ADDRESS (STREET, CITY, STATE, ZIP)		97 HGT		98 WGT		99 EYE		100 HAIR		101 COMPLEXION	
N						Brown		Blk			
102 PROBABLE DESTINATION		103 ARMED?		104 WEAPON		105 ARRESTED		106 WANTED			
K		Y				N		N			
107 CLOTHING		108 SCARS		109 MARKS		110 TATTOOS		111 ARRESTED		112 WANTED	
								N		N	
113 NAME (LAST, FIRST, MIDDLE)		114 NICKNAME/ALIAS		115 RACE		116 SEX		117 DOB		118 AGE	
N				W		M					
119 ADDRESS (STREET, CITY, STATE, ZIP)		120 HGT		121 WGT		122 EYE		123 HAIR		124 COMPLEXION	
D											
125 PROBABLE DESTINATION		126 ARMED?		127 WEAPON		128 ARRESTED		129 WANTED			
N		Y				N		N			
130 CLOTHING		131 SCARS		132 MARKS		133 TATTOOS		134 ARRESTED		135 WANTED	
E								N		N	
136 NAME (LAST, FIRST, MIDDLE) SEX, RACE, DOB		137 ADDRESS (STREET, CITY, STATE, ZIP)		138 RES. PHONE		139 BUS. PHONE					
1 Smith, Andre		674 W Jeff Davis		334 356		3549					
2 Smith, Thula		674 W Jeff Davis		334 356		3549					
3											
4											
WITNESS #1 SON		WITNESS #2 SON		WITNESS #3 SON		WITNESS #4 SON					
137											
1 - Antique China Collection - \$ 1,000 ⁰⁰											
1 - "Roper" Washer Machine unk model - \$ 350 ⁰⁰											
NARRATIVE											
The victim stated that some unknown offender(s) forcibly entered the residence through a front door and stole the property listed. The above listed witnesses stated they saw the above described suspect commit the offense. Evidence was collected in the form of digital photographs which were impounded under # 259 008. Units 230 and 426 notified. The victim stated she would prosecute.											
CONTINUED ON SUPPLEMENT											
ASSISTING AGENCY ORI		ASSISTING AGENCY CASE #		SPX							
Additional Charge: Theft of Property 1st											
I hereby affirm that I have read this report and that all information given by me is correct to the best of my knowledge. I will assume full responsibility for notifying this agency if any stolen property or missing person hereby reported is returned.											
SIGNATURE											
J. M. Smith											
MULTIPLE CASES CLOSED		140 CASE #		141 SPX		142 CASE #		143 SPX		144 CASE #	
145 CASE STATUS		146 CASE DISPOSITION		147 EXCEPTIONAL CLEARANCE		148 REPORTING OFFICER		149 ASSISTING OFFICER		150 WATCH CMDR	
1 PENDING		1 CLEARED BY		1 SUSPECT/OFFENDER DEAD		CL Herbert		LR Gambrell		1500	
2 INACTIVE		2 CLEARED BY		2 OTHER PROSECUTION						1466	
3 CLOSED		3 CLEARED BY		3 EXTRADITION DENIED							
ENTERED AGENCY DATE		3 CLEARED BY		3 LACK OF PROSECUTION							
		3 UNFOUNDED		3 JUVENILE, NO REFERRAL							
		3 ADM. CLEARED		3 DEATH OF VICTIM							
						151 SUPERVISOR APPROVAL		152 WATCH CMDR			
						MM1263		J. M. Smith		360	